

HOUSE BILL 1904

By Rinks

AN ACT to amend Tennessee Code Annotated, Title 48, Chapter 68, relative to the dissolution of not-for-profit and private-act hospitals and the conveyance or transfer of assets of not-for-profit or private-act hospitals to any other entities through lease, sale or other transaction.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 48-68-204, is amended by deleting the last sentence in its entirety and replacing it with the following:

The attorney general and reporter may extend this period for an additional forty-five (45) days; provided, that the extension is necessary to obtain information pursuant to §§ 48-68-206, 48-68-208 and 48-68-209.

SECTION 2. Tennessee Code Annotated, Section 48-68-209(c), is amended by deleting such subsection in its entirety and replacing it with the following:

(c) The attorney general and reporter shall be entitled to reimbursement from the acquiring entity for all reasonable and actual costs incurred by the attorney general and reporter in reviewing any proposed public benefit hospital conveyance transaction under this part, including attorney fees at the billing rate used by the attorney general and reporter to bill state agencies for legal services. The acquiring entity, upon request, shall pay the attorney general and reporter promptly for all costs, but in no event shall reimbursement associated with reviewing a proposed public benefit hospital conveyance transaction exceed sixty-five thousand dollars (\$65,000). The attorney general and reporter shall not be entitled to reimbursement for expenses incurred for any legal services rendered by external legal counsel.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.